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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,025	04/30/2001	Philip M. Ginsberg	CF-20	4295
1473 7590 01/05/2007 FISH & NEAVE IP GROUP ROPES & GRAY LLP 1251 AVENUE OF THE AMERICAS FL C3 NEW YORK, NY 10020-1105			EXAMINER DASS, HARISH T	
			ART UNIT	PAPER NUMBER
			3693	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Requirement for Information Under 37 C.F.R. § 1.105**

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

2. In view of the nature of Applicant's attorney assertion (Remarks 10-19-2006), a question of public use under 35 U.S.C. 102(b) is raised. Applicant's attorney raises numerous questions, in order to response to remarks, please provide the following information:

In claim 1, applicant recites the limitation "selecting a plurality of event outcomes in accordance with said qualifying,". Since the qualifying is done by applicant's real-time wagering device.

In response to this office action, applicant is requested to clarify whether the selection is done by the real-time wagering device, or, the client is allowed to make a selection after the client is qualified.

Further in claim 1, applicant recites the limitation "receiving a request to wager on one of said event outcomes".

In response to this office action, applicant is requested to clarify whether the client allowed to request on only one wager, or, the client can make plurality of wagers

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as long as the combined total of all wagers made by the client in a single wagering transaction does not exceed client's wagering limit.

In claim 7, applicant recites the limitation "determining whether said client is qualified to place said wager". Since the client is allowed to place a wager only after the client is qualified to participate in wagering,

In response to this office action, applicant is requested to clarify why client is re-qualified whether the client is qualified to place said wager.

In claim 11, applicant recites the limitation "adjusting said wagering limit of said client".

In response to this office action, applicant is requested to clarify under what circumstances does the adjustment of the wagering limit is performed.

In claim 34, applicant recites the limitation "adjusting continually said spread of said wagerable event in accordance with predetermined risk criteria"

In response to this office action, applicant is requested to clarify what happens when the spread makes an affect client's qualification for the wager.

Applicant has not clearly defined or claimed whether each of the wager of same size (e.g. each lot is of quantity 100), whether the value of each wager fixed (e.g. each

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wager is \$1000), or, they are dependent of the current market prices and quantity (e.g. 100 shares at the current market value).

To expedite the prosecution, in response to this office action, applicant is requested to provide few sample of wagers, minimum value of each wager that the client is presented with, what is presented to the client to make the selection from, when does the system accept the wager, and, when does it reject the wager.

3. The information is required to identify products and/or services embodying the disclosed subject matter of providing bases for evaluating present application.

Additionally, in response to this requirement please provide any known publications, papers, brochures, manual and press releases that describe the "online gambling" such as [www.betonsports.com](http://www.betonsports.com), or see the following;

*Jan`24, 1999* - The defense plans to cast Cohen and Schillinger as young entrepreneurs who worked as traders at the Pacific **Stock** Exchange when the **online gambling** idea came to them. They took a cue from the floor of the San Francisco market in 1995 after Schillinger attracted interest by selling options on the verdict of the O.J. Simpson trial.

Than inventor is aware of.

4. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of the requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any

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supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97 where appropriate.

5. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

6. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete reply to the requirement for that item.

7. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

*Harish T. Davis*